

**RYE TOWNSHIP  
SUPERVISORS' MEETING  
April 26, 2010**

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**PRESENT:** Chairman Robert Lightner, Vice-Chair Ron Evans, Supervisor Ken Quigley, Daisy Lightner, Secretary/ Treasurer, Ron Cree, Zoning Officer, Yvette Amsallen, Jean Snyder, Sean Fedder, Gary Roth, Pete and Barbara Fitting, Peggy Fedder, Barb and Bill Holley, Holly Brzycki, James Narehood, John Fitzsimmons, Jeanine and Henry A. Holman, III., John Smith, Craig Witmer, CPA of Smith, Elliot and Kearns, Co., and Gary Roth.

**FORMER SUPERVISOR PRESENT:** Phyllis Page

**ABSENT:** Solicitor P. Richard Wagner, Esquire due to a family emergency.

The meeting was held at the municipal building and called to order at 7:30 PM. Chairman Lightner convened the meeting with the pledge of allegiance to the flag. The meeting was tape recorded to aid with the preparation of minutes.

**CITIZEN PARTICIPATION:** Yvette Amsallen of Fleisher Road requested the Board change their roadside mowing policy and decrease the amount of area mowed, except at intersections or where sight distance is a concern. Ms. Amsallen offered that too much time is expended to mow areas that are not necessary and many wild flowers, which are necessary for the bees and butterflies are cut. She thanked the Board for listening to her concern. Chairman Lightner offered that the Board would take her concern into consideration.

**APPROVAL OF THE MINUTES:** Supervisor Quigley made a motion and Chairman Lightner seconded to approve the minutes of March 22, 2010 supervisors' meeting as submitted. Motion carried. Supervisor Evans abstained because he was not present at this meeting.

Lightner made a motion and Evans seconded to approve the minutes of the Special Meeting of April 6, 2010 as submitted. Motion carried. Supervisor Quigley abstained because he was not present at this meeting.

**PERSONS TO BE HEARD:** Craig Witmer, CPA of Smith, Elliott, Kearns, & Co was present. CPA Witmer approached the Board to present a brief overview of the 2009 Financial Audit report for Rye Township. CPA Witmer thanked the Board for the opportunity once again for SEK to conduct the audit. He reviewed and highlighted the important items in the 2009 financial statements. Witmer said SEK issued an unqualified audit opinion, which is the best opinion that may be given indicating that SEK is confident that the financial statements are not materially misstated.

Witmer explained that the Management Discussion & Analysis, (M D & A) on pages 3-10, which is prepared by the Secretary/Treasurer, does a good job of summarizing the year financially. Witmer highlighted page 11-12 which is the Statement of New Assets and the Statement of Activities. Witmer noted that the General expenses generally held the line with a slight increase from approximately \$584,000 in 2008 to 590,000 in 2009. The governmental activities include the General fund, the Capital Reserve fund and the Highway Aid fund. Pension funds are not included on this statement.

Witmer reviewed page 13, the Balance Sheet, and explained the cash & cash equivalents in each fund at the end of 2009 as follows: General Fund - \$588,633; Capital Reserve Fund –

\$518,040; Highway Aid fund - \$83,562 for a total \$1,160,235. Witmer commended the Township for their foresight in placing monies in the Capital Reserve for future large expenditures, in particular Future Land Purchases.

CPA Witmer continued by explaining page number 14, the Statement of Revenues, which totaled \$556,507 for the General Fund, which was a decline due to a decrease in the earned income tax with the economy and the high unemployment. Expenditures for 2010 totaled \$549,735 a decrease due to less highway projects. Highway expenditures were \$179,903 for 2009 in comparison to approximately \$ 300,000 in 2008. The net change in fund balances for the General Fund was a deficiency of (\$77,347). However, the Capital Reserve net change in the fund balance was an increase of \$148,447, due to setting funds aside for future large expenditures. Overall the net change in fund balance for the total governmental funds was an increase of \$104,257.

Page 16, the Statement of Revenues, Expenses and changes in Net Assets for the Solid Waste Fund shows an operating gain of \$22,020. However, no funds were set aside in 2009 for the future purchase of a trash truck.

Witmer said the next section, pages 20-29 of the 2007 Financials contains the footnotes, which expands on the totals of the previous statements.

Final pages 29-34 show the budget to actual statements for individual items of the General Fund, Highway Aid Fund and the Solid Waste Fund.

Witmer than reviewed the April 10, 2010 management letter, which includes a finding involving the preparation of financial statements. Witmer assured the Board this finding is solely because of newly revised auditing standards and is included in 95% of their clients' letters. As part of the audit, SEK assists in applying complex accounting standards & prepares the financial statements and footnotes from records provided from the Township staff. For internal control purposes your auditor cannot function as part of your internal control system over financial reporting. Witmer explained that this is not a negative comment reflecting on the Township staff, but the practice of most municipalities this size and even larger.

Witmer commented on the Purchase Order Policy and provided additional suggestions for specific procedures to better implement the policy. Witmer further explained new regulations with GASB 51 Intangible Assets and GASB 54- new definitions for Fund Balances, Restricted, Committed, Assigned and Unassigned.

Witmer explained the four colored graphs, which assist the Board in understanding the financial statements. The Cash and Investments Balances Graph shows the trend for the years 2006 through 2009. The General, Highway Aid, and Solid Waste Fund cash and equivalents are decreasing. The Capital Reserve Fund increased, which is good. The greatest expenditure for 2009 was the Public Works/Highways at 25%.

With no further questions or discussion on the 2009 Financial Audit, CPA Witmer thanked the Board and the residents for their time and left the meeting.

**MONTHLY MUNICIPAL REPORTS:** Corporal Clinton Shoop submitted copies and read the April Police Report as follows: 88.9 gallons of fuel used, drove 1,177 miles, worked a total of 141.50 hours, 24 incidents, which included: 3 warnings, 10 traffic citations, and 1 non-traffic citation. Total fines collected from the District Justice were \$750.95 and \$235.19 from the Perry County Courts.

The April Zoning Report was submitted by Zoning Officer, Ron Cree and available for review. Cree read the report as follows: twenty-six (26) complaints, six (6) zoning permits, 4 certificate of use permits, and mileage of 146 miles for a total of \$350.00 in fees collected.

The Sewage Enforcement Report was submitted by Mike Higgins, SEO. Chairman Lightner read the report as follows: 4 activities: percs and probes for Brett Adams, a permit issued for a final inspection for David Hammaker, and a planning exemption inspection for Donald Beers for a total due in wages of \$425.00.

The April Road Report was submitted by Road Foreman, Brad Sloop. Supervisor Quigley read the report and placed the report on the table for anyone to review. Supervisor Quigley noted that the work on Trout Lane drainage Phase I has begun. He offered that the Township will have fill for anyone that may be interested.

Holly Bryzki of the Recreation Board was present and reported a successful egg hunt with approximately sixty (60) children in attendance. The first Annual Spring Gardening Fling was held on April 10<sup>th</sup> with 17 residents in attendance. The next event is the Strawberry Festival at the Community Park on Sunday, June 13th.

No Emergency Management Report was offered.

The April Treasurer's Report & General & Solid Waste Fund Balance Reports were submitted for review by the Secretary/Treasurer & with no discussion were accepted as read. The Secretary/Treasurer noted that the electronic transfer for 2009 Liquid Fuels allocation was deposited in the Highway Aid Savings account via electronic transfer from the PA Department of Transportation in the amount of \$84,602.78, which decreased over \$4,000 from 2008.

**SUBDIVISION PLANS:** James Narehood, a representative for Alan Kirmayer of the Animal Hospital, located at 2875 Valley Road, approached the Board and presented the Animal Hospital Final Minor Land Development Plan for approval. The plan proposes to construct a 448 sq feet two story addition to the rear of the existing Animal Hospital of Rye. There will be no change to the impervious coverage since the existing asphalt will be removed to add the proposed addition. Perry County Planning comments were received. An approval letter from Perry County Conservation District for Erosion and Sedimentation Control Plan was received. The Rye Township Planning Commission approved the plan with the following conditions:

- ◆ Shade the proposed addition on page 2 for clarification
- ◆ Add a note that existing impervious cover is being removed to construct the proposed addition.
- ◆ Detail the E & S measures on the plan
- ◆ Submit and gain approval from the Perry County Conservation District for the Erosion and Sedimentation Control plan
- ◆ Submit, acquire, and resolve Perry County Planning Commission comments.
- ◆ Acquire all signatures upon final approval of the Board of Supervisors
- ◆ Provide a fifty (\$50) security deposit to the Township office to assure the receipt of a final recorded plan

The Board of Supervisors reviewed and addressed all Rye Township and Perry County Planning Commission comments.

With the very limited size and scope of the amount of land development, Supervisor Quigley made a motion and Supervisor Evans seconded to accept the following waivers to the

Subdivision Land Development Ordinance 09-03 as requested for the Animal Hospital Land Development Plan:

1. Article 5, Section 501 - Preliminary plan submission procedures
2. Article 6, Section 602.L., Certification by a registered engineer & surveyor
3. Article 6, Section 603, B., Storm Water Management/E & S Control plan

Motion carried. All board members voting in favor.

Supervisor Quigley made a motion and Supervisor Evans seconded to conditionally approve the Animal Hospital Final Minor Land Development Plan. The conditions for approval and signature of the plan are as follows:

1. Acquire all signatures and notarize the owners' section on the final plan
2. Receipt of the (\$50) fifty dollar security deposit

Motion carried. All members voting in favor of approval with the above-listed conditions.

Mr. Narehood acknowledged and understood the conditions for approval. Mr. Narehood thanked the Board and left the meeting taking the plan with him to gain the owners' signatures.

It was the consensus of the Board and all parties involved to table any action on the William Miller Preliminary Subdivision Plan until the May 24, 2010 supervisors' meeting.

**LEGAL BUSINESS:** Solicitor Wagner was unable to attend due to a medical emergency with his father. Chairman Lightner reported that 5 Dicken Drive returned to the bank at a sheriff sale on April 22<sup>nd</sup>. However, a phone call to the bank's attorney was not returned. Solicitor Wagner will follow up. Solicitor Wagner did advise verbally that a request to designate a portion of the property owned by Henry Holman in Rye Township to Conservation Forest could be incorporated into the current revisions proposed to the Zoning Ordinance. The opt in/opt out enforcement issue was tabled until the May 24, 2010 meeting.

**RESOLUTION:** Upon due discussion, Supervisor Evans made a motion and Chairman Lightner seconded to adopt **Resolution 10-10**, which authorizes the Secretary/Treasurer of Rye Township to transfer \$3,457.33 from the PLGIT Plus Account to the General Savings account at the First National Bank of Marysville for a slightly better rate of interest return. Motion carried unanimously. PLGIT Plus account has decreased to .07%.

**OLD BUSINESS:** Upon due consideration, Supervisor Quigley made a motion and Supervisor Evans seconded to authorize Secretary/Treasurer Daisy Lightner to sign the contract with Liberty Power to provide lower cost electricity to the Township at a fixed rate of \$.935 for a 12 month term. Motion carried unanimously.

**NEW BUSINESS:** Supervisor Evans made a motion and Supervisor Quigley seconded to authorize the Secretary/Treasurer to advertise for adoption at the May 24, 2010 meeting an Ordinance to temporarily close Grier Point Road for the annual Strawberry/ Bluegrass festival held by the Bethel United Methodist Church on June 12, 2010. Motion carried unanimously.

Supervisor Quigley made a motion and Supervisor Lightner seconded to accept the 2009 Planning Commission Report as submitted. Motion carried. Supervisor Evans abstained since he has been absent for several months due to health reasons.

Upon due consideration, Supervisor Evans made a motion and Supervisor Quigley seconded to renew the annual health insurance with the Pennsylvania Chamber Insurance, PCI,

from June 1, 2010 to May 31, 2011 for all full time employees. Motion carried unanimously. Supervisor Evans signed the renewal forms.

Chairman Lightner announced the following events:

- ◆ Spring Clean up- this Friday, April 30<sup>th</sup> from 6:00 AM to 2:00 PM and Saturday, May 1, 2010 from 8:00 AM to 12 noon.
- ◆ Special Meeting, May 3, 2010 at 7:30 PM to open the Teats Clean Up bid and possibly award the bid

**APPROVAL AND PAYMENT OF THE BILLS:** The Secretary/Treasurer provided an April expense check register and submitted the following checks for approval and payment: General Fund Checks #s 12482-12528 in the amount of \$26,409.26 Void check # 12202 lost and replace with Check # 12515 in the amount of \$48.98

Payroll checks #s 5703-5711 in the amount of \$5,323.48. No payroll checks void.

Payroll checks #s 5712-5720 in the amount of \$8,108.79. No payroll checks void.

The Secretary/Treasurer noted the electronic transfer, ELF to Pennsylvania Chamber Insurance, (PCI) for monthly payment for health insurance in the amount of \$4,709.05.

Supervisor Evans made a motion to approve the checks and pay the bills. Quigley seconded. Supervisor Lightner approved of the motion, but abstained from approval of check number 12488 in the amount of \$164.45 issued to Daisy Lightner for mileage expense and reimbursement of costs to renew the virus protection, since Daisy is his spouse. Motion carried with Supervisor Lightner abstaining from approval of Check # 12488 as indicated above.

Supervisor Evans made a motion with a second from Supervisor Quigley to approve check # 12488 issued to Daisy Lightner, which included mileage reimbursement and payment of virus protection for the Township's computers. Motion carried. Chairman Lightner abstained since Daisy is his spouse. The Secretary/Treasurer noted that since the Township does not have a credit card, she used her personal credit card to pay for the virus protection online.

**EXECUTIVE SESSION:** Chairman Lightner recessed the Board to Executive Session at 8:34 PM to discuss personnel issues with the police officer.

Chairman Lightner reconvened the meeting at 8:54 PM stating that personnel issues were discussed.

**CITIZEN PARTICIPATION:** Corporal Shoop noted that he spoke with Carl Bitting, who agreed to house stray dogs short term at his kennel facility on New Valley Road. Supervisor Quigley offered to donate a dog kennel. Terms would be discussed and a simple agreement executed with Mr. Bitting prior to any construction or the housing of any stray animals.

**ADJOURNMENT OF THE MEETING:** There being no further business before the Board, Supervisor Evans made a motion and Supervisor Quigley seconded to adjourn the meeting at 9:03 pm. Motion carried.

Respectfully submitted,

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Daisy Lightner  
Secretary/Treasurer